

Remarks

Summary of the Office Action

Claims 161-191 are pending in this application.

Claims 161-165, 168-170, 173-178, 181-183, 186-188, and 190 are rejected under 35 U.S.C. § 103(a) as being obvious over Rothmuller U.S. Patent No. 5,635,989 (hereinafter "Rothmuller") in view of Bedard U.S. Patent No. 5,801,747 (hereinafter "Bedard").

Claims 166, 167, 179, and 180 are rejected under 35 U.S.C. § 103(a) as being obvious over Rothmuller in view of Bedard and further in view of Macrae U.S. Patent Publication No. 2003/0208756 (hereinafter "Macrae").

Claims 171, 172, 184, and 185 are rejected under 35 U.S.C. § 103(a) as being obvious over Rothmuller in view of Bedard and further in view of Billock U.S. Patent Publication No. 2002/0059581 (hereinafter "Billock").

Claims 189 and 191 are rejected under 35 U.S.C. § 103(a) as being obvious over Rothmuller in view of Bedard and further in view of Barrett U.S. Patent No. 6,005,597 (hereinafter "Barrett").

Summary of Applicants' Reply

Claims 188-191 are canceled without prejudice. Applicant has amended claims 161 and 174 to more particularly define the claimed invention. Applicant has also added new claims 192 and 193. Support for the new claims may be found, for example, on page 24, lines 1-10 of applicant's specification. No new matter has been added.

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

Claims 161 and 174

Amended independent claims 161 and 174 are directed towards a method and system for adding a program of interest to a watch list using an interactive television program guide. A program of interest is added to the watch list in response to the user having watched the program for a specified amount of time. Programs of interest in the watch list are ranked based on the amount of time each program has been watched, adjusted by at least one of the duration of each program and program type. For example, according to page 25, lines 3-6 of applicant's Specification, "if interactive advertisements are shorter in duration compared to television programs, rankings of interactive advertisements may be modified to reflect this fact."

Rothmuller discloses generating a favorite program list by storing in memory the titles of programs viewed for a period of time exceeding a predetermined period of time (column 5, line 59 to column 6, line 4). However, Rothmuller fails to show or suggest ranking programs in the favorite program list, let alone "based on the amount of time the programs have been watched adjusted by at least one of the duration of the programs and the type of the programs," as recited in independent claims 161 and 174.

Bedard relates to a method and apparatus for creating a television viewer profile. A viewer's behavior is monitored and the viewer's preferred channels are determined based on viewing units. However, Bedard fails to show or suggest any ranking schemes of the viewer's preferred channels based on the amount of time the programs of the channels have been watched adjusted by the duration

of the programs and the types of the programs. In Bedard, only the duration of a viewer's viewing session is monitored, not the duration of each programs watched by the viewer. Hence program duration is not a factor in ranking viewer preferred channels in Bedard.

Macrae discloses an electronic program guide that creates viewer profiles and utilizes the profiles to provide customized presentation of advertising, such as infomercials, to a viewer. In particular, according to paragraph 0291, lines 15-16 of Macrae, "the viewer can designate the infomercial for the Watch List." However, the explicit designation of an infomercial to a watch list actually teaches away from "automatically adding the program of interest to the watch list," as recited in independent claims 161 and 174. In addition, being able to include infomercials on a watch list, as recited in Macrae, does not constitute applicant's claimed invention of "ranking the programs of interest in the watch list based on the amount of time the programs have been watched adjusted by at least one of the duration of the programs and the type of the programs." Furthermore, neither Billock nor Barrett disclose this subject matter.

Therefore, whether taken alone or in combination, Rothmuller, Bedard, Macre, Billock and Barret fail to show or suggest "ranking the programs of interest in the watch list based on the amount of time the programs have been watched adjusted by at least one of the duration of the programs and the type of the programs," as specified in independent claims 161 and 174.

For at least this reason, applicant submits that amended independent claims 161 and 174 are allowable. Accordingly, applicant respectfully requests that the

Examiner's rejection of amended independent claims 161 and 174 be withdrawn.

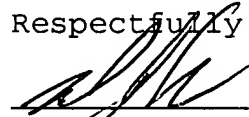
Applicant respectfully requests that the rejection of claims 162-173 and 175-187 also be withdrawn at least because claim 162-173 and 175-187 variously depend from allowable amended independent claims 161 and 174.

Furthermore, applicant respectfully submits that new claims 192 and 193 are allowable at least because new claims 192 and 193 variously depend from allowable amended independent claims 161 and 174.

Conclusion

For the reasons set forth above, applicant respectfully submits that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



Michael J. Chasan
Registration No. 54,026
Agent for Applicants

FISH & NEAVE IP GROUP
ROPES & GRAY LLP
Customer No. 1473
1211 Avenue of the Americas
New York, New York 10036
(212) 596-9000